

Meeting Date
Nov 15, 2016



AGENDA	
Section	Consent
Item No.	II . A . 6

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	FDOT Joint Participation Agreement for Valkaria Airport; Fuel Farm Upgrade, <b>Construction Phase</b> JPA FM No.: 437171-1-94-02
DEPT/OFFICE:	Valkaria Airport

Requested Action:

It is requested that the Board approve and adopt the attached FDOT funded Joint Participation Agreement (JPA) related to the **Construction Phase** of the Fuel Farm Upgrade project at Valkaria Airport and authorize the Chairman to execute the agreement.

Summary Explanation & Background:

A portion of the fuel farm equipment at Valkaria airport is over twenty (25) years old and in dire need of repair or replacement. The project consists of the Design, Procurement and Upgrading of the existing Fuel Farm at Valkaria Airport. The project will include updating the existing fuel farm equipment and the construction of a new consolidated fuel dispensing station. Also included in this project is the removal and disposal of existing equipment that will not be reused. On December 16, 2014 the BOARD accepted an FDOT JPA for the Design Phase of the project (\$26,883). The attached JPA is for the **Construction Phase** of the project.

Total cost for the **Construction Phase** of the project is \$127,169.  
 FDOT Funding: 80% - \$101,735 and Valkaria Airport Funding: 20% - \$25,434.

Fiscal Impact: \$127,169 Total (FDOT 80% \$101,735 and Valkaria Airport 20% \$25,434).

All match funds are in the 2016 budget and will be paid for with Airport revenues.

**No General Fund dollars are required for this project.**

Clerk to the Board Instructions:

Exhibits Attached:  
 FDOT JPA No.: 437171-1-94-02  
 Construction Phase Scope Of Services

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
FDOT JPA FM No.: 437171-1-94-02			<input type="checkbox"/>				
County Manager	Assistant County Manager	Department Director / Extension					
	N/A	Steve Borowski / (321)952-4590					
Stockton Whitten	Assistant County Manager	steve.borowski@brevardfl.gov 					
	N/A						



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

November 16, 2016

MEMORANDUM

TO: Steve Borowski, Valkaria Airport Director

RE: Item II.A.6., Supplemental Joint Participation Agreement No. 1 (JPA) with Florida Department of Transportation (FDOT) for Valkaria Airport, Fuel Farm Upgrade, Construction Phase JPA FM No. 1 - 437171-1-94-02

The Board of County Commissioners, in regular session on November 15, 2016, executed and approved the FDOT funded JPA No. 1 for funds related to the construction phase of the Fuel Farm Upgrade project at Valkaria Airport. Enclosed are two executed Supplemental JPA No. 1 for your action.

**Upon execution by FDOT, please return a fully-executed JPA to this office for inclusion in the official record.**

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

cc: Contracts Administration  
Finance  
Budget



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

133 S. Semoran Boulevard  
Orlando, Florida 32807

JIM BOXOLD  
SECRETARY

October 19, 2016

Mr. Steven Borowski  
Airport Director  
Valkaria Airport  
2865 Greenbrooke Street  
Valkaria Florida 32950

**Subject: Joint Participation Agreement – \*\* Revised July 2015 \*\***  
Valkaria Airport  
FM No.: 437171-1-94-01 and 437171-1-94-02  
Contract No.: Unassigned  
Description: Fuel Farm Upgrade

Dear Mr. Borowski:

Enclosed are two Joint Participation Agreement (JPA) documents for your adoption and signature. Please authorize and seal the signature page for each document by original signature. Please return both adopted Joint Participation Agreements along with one certified copy of the Resolution adopting the agreements to the address below. When the JPA is fully authorized by all parties, one original document will be returned to you. **Should you wish to have more than one original document, please make the appropriate number of copies and submit them to the Department for execution. All copies will be returned once fully authorized. Please note that any costs incurred prior to the Department executing the Joint Participation Agreement will not be eligible for reimbursement.**

**Please return all documents to:**

Ms. Holly Lopenski  
Florida Department of Transportation  
Special Projects Section, MS 4-520  
719 S. Woodland Blvd.  
Deland, FL 32720-6834

**Documents mailed back to our office in Orlando will result in a delay in executing the grants.**

**\*\* PLEASE TAKE NOTE OF THE NEW SECTION 24.00 \*\***

Please take note that the Department has **revised the JPA Dated "OGC – 07/15"**. Please take note of **Section 24.00 Inspector General Cooperation**. In addition, please note the addition of the Exhibit "A", Scope of Services. Invoicing and payments will be made based on the Method of Compensation and deliverables defined in Exhibit "A" and in the Scope of Services. Please provide this office with a copy of all executed Task Orders/Amendments/Contracts for this project if not already provided. Please call with any questions or concerns.

Sincerely,

Allison D. McCuddy  
Freight and Logistics Specialist  
AM/am  
Enclosures (2)



**PUBLIC TRANSPORTATION  
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT  
Number 1**

Financial Project No(s): 437171-1-94-01 437171-1-94-02  (item-segment-phase-sequence) Contract No.: ARR09	Fund: DPTO Function: 637 Federal No.: N/A DUNS No.: 80-939-7102	FLAIR Category: 088719 Object Code: 751000 A8 Org. Code: 55052000531 Vendor No.: F596 000 523 008
Catalog of Federal Domestic Assistance Number: N/A CFDA Title: N/A	Catalog of State Financial Assistance Number: 55.004 CSFA Title: Aviation Development Grants	

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and Brevard County Board of County Commissioners  
P.O. Box 1496, Titusville, Florida 32781  
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 8th day of January, 2015, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of \$123,241.00.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

**1.00 Project Description:** The project description is amended  
no change

**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is  increased/  decreased by \$127,169.00  
bringing the revised total cost of the project to \$154,052.00.

Paragraph 4.00 of said Agreement is  increased/  decreased by \$101,735.00  
bringing the Department's revised total cost of the project to \$123,241.00.

**3.00 Amended Exhibits:**

Exhibit(s) "A," "B," and "D" of said Agreement is amended by Attachment "A".

**4.00 Contract Time:**

Paragraph 16.00 of said Agreement N/A.

**5.00 E-Verify**

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and

2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

437171-1-94-01

Financial Project No(s) 437171-1-94-02

Contract No. ARR09

Agreement Date \_\_\_\_\_

Except as hereby modified, amended or changed, all other terms of said Agreement dated January 8th 2015 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

FDOT

Brevard County Board of County Commissioners

See attached Encumbrance Form for date of Funding Approval by Comptroller

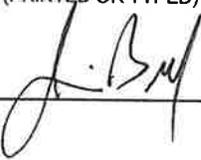
AGENCY NAME

JIM BARFIELD

LEGAL REVIEW  
DEPARTMENT OF TRANSPORTATION

SIGNATORY (PRINTED OR TYPED)

SIGNATURE



Frank J. O'Dea, P.E.

DEPARTMENT OF TRANSPORTATION

CHAIRMAN

Director of Transportation Development

TITLE

TITLE

## EXHIBIT "A" PROJECT DESCRIPTION AND RESPONSIBILITIES

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners  
P.O. Box 1496, Titusville, Florida 32781-1496  
referenced by the above Financial Project Number.

PROJECT LOCATION: Valkaria Airport  
2865 Greenbrooke Street  
Valkaria, Florida 32950

PROJECT DESCRIPTION: Fuel farm upgrade Per Attached Scope of Services

### SPECIAL CONSIDERATIONS BY AGENCY:

- 1) The audit report(s) required in paragraph 6.60 of the Agreement shall include a schedule of project assistance that will reflect the Department's contract number, Financial Project Number and the Federal Identification number, where applicable, and the amount of state funding action (receipt and disbursement of funds) and any federal or local funding action and the funding action from any other source with respect to the project.

### SPECIAL CONSIDERATIONS BY DEPARTMENT:

- 1) Joint Participation Agreement Paragraph 20.00, "Vendors Rights"; Add to end of the 1st Paragraph, "As allowed herein, the parties hereby agree to establish the time for the Department to inspect and approve the goods and services from five (5) working days to up to twenty (20) working days after receipt of an invoice".
- 2) Method of Compensation:

For the satisfactory performance of the services and deliverables detailed in the Scope of Services, the AGENCY shall be paid up to a maximum amount of \$123,241 for actual costs incurred. The AGENCY may receive progress payments for the actual costs of deliverables based on the Schedule of Values and on a percentage of services that have been completed, approved and accepted to the satisfaction of the DEPARTMENT when properly supported by detailed invoices and acceptable evidence of payment. The final balance due under this Agreement will be reimbursed upon the completion of all Project services, receipt of final cost documentation and proper submission of a detailed invoice, and when the Project has been inspected, approved and accepted to the satisfaction of the DEPARTMENT in writing. All costs charged to the Project shall be supported by detailed invoices, proof of payments, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.

437171-1-94-01  
 Financial Project No(s) 437171-1-94-02

Contract No. ARR09  
 Agreement Date \_\_\_\_\_

ATTACHMENT "A"  
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and Brevard County Board of County Commissioners P.O. Box 1496, Titusville, Florida 32781

dated \_\_\_\_\_

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Sponsor requested a supplemental agreement for the construction of the fuel farm upgrades.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$26,883.00	\$154,052.00	\$127,169.00
	Total Project Cost	\$26,883.00	\$154,052.00	\$127,169.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$21,506.00	\$123,241.00	\$101,735.00
	Agency:	\$5,377.00	\$30,811.00	\$25,434.00
				\$0.00
	Total Project Cost	\$26,883.00	\$154,052.00	\$127,169.00

Comments:

SCOPE OF SERVICES FOR  
VALKARIA AIRPORT  
FUEL FARM UPGRADE  
FDOT ITEM NO. 437171-1-94-01

---

**PROJECT DESCRIPTION**

The existing fuel farm includes three existing fuel tanks and dispensers in separate locations at the Valkaria Airport. The products include AVGAS, MO GAS and Jet-A. This project consists of the removal and replacement of the existing fuel dispensing equipment in order to provide fuel dispensing at a single location and upgrade dispensing equipment. Components of the project include new fuel pumps, dispensers, hose reels, static grounding reels, fuel piping, automated fuel management system, electrical and all other ancillary construction. Additional elements of the project include pavement removal and concrete paving.

The project includes the following items:

- Construct a new AVGAS dispenser cabinet using a new pump. Other elements include a new meter and hose reel
- Construct a new Jet A dispenser cabinet using the existing Jet-A pump. Other elements include a new meter and hose reel
- Construct a new automated fuel management system
- Complete all site civil and electrical work necessary to complete the project

The items listed above will be completed pursuant to all applicable codes, FAA/FDOT standards, and the available project budget funds.

The final construction cost of the project is \$127,169

**PROJECT JUSTIFICATION**

The project includes replacing portions of the existing fuel dispensing equipment system which has currently reached the end of its service life and has become increasingly difficult to maintain and troubleshoot.

**DESIGN**

The design was completed by AVCON. All elements of the construction of the project are shown in the construction plans. The contractor is responsible for providing the elements shown in the construction plans.

**CONSTRUCTION**

The Contractor will:

- Furnish all materials, labor, incidentals, and supplies required to construct the project in accordance with the approved plans.

- Provide performance and payment bonds; all work required to maintain traffic and meet the construction safety requirements; final clean-up and restoration, and all paperwork that is required from the Contractor.

The Contractor Services is fully defined in the Contract Documents, which include all documents bound together in the Contract Documents and Specifications, the Drawings, the Addenda, and the Proposal submitted by Contractor.

Payment to the Contractor will be based on actual constructed quantities at the contract unit prices, along with any authorized changes. All work must be in place; there is no provision for payment for "Materials delivered to site".

#### **PAYMENT DELIVERABLES/MILESTONES FOR CONSTRUCTION**

Payment for the above listed items or tasks will be made after the following deliverables are received or milestones occur:

- Payment to the Contractor will be based on actual constructed quantities at the contract unit prices, along with any authorized changes.
- Payment will be made based on Periodic Pay Requests listing all work in-place. The Pay Requests will be reviewed by the Airport Staff.
- Verification of Periodic site visits.
- Verification of final inspection and submittal of a punchlist and/or Summary Report
- Payment will be made for activities performed in accordance with the tasks above. A progress report or other means of verification will be provided with each invoice attesting to the work performed.
- Upon completion of the work, execution of the final change order, submittal of all required project completion documents and final inspection by the Airport and FDOT, the final (100%) payment will be made.

End of Scope

---

## EXHIBIT "D" SINGLE AUDIT ACT REQUIREMENTS

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners  
P.O. Box 1496, Titusville, Florida 32781-1496

- CFSA NUMBER: 55.004
- STATE PROJECT TITLE: Aviation Development Grants
- STATE AGENCY: Florida Department of Transportation
- AMOUNT: \$123,241
- PROGRAM OBJECTIVES: The Aviation Grant Program is designed to provide a safe, cost effective, and efficient statewide aviation system. Grant funds assist airports build and maintain runways and taxiways, eliminate airport hazards, protect air space, and build terminals and other facilities. In addition, grants are intended to further develop and improve aerospace transportation facilities.
- PROGRAM PROCEDURES: Florida law allows the Department to fund any capital project on airport property and any services that lead to capital projects, such as planning and design services. The only off-airport projects allowed are purchase of mitigation land, noise mitigation, purchase of aviation easements, and access projects for intercontinental airports. Airport capital equipment is eligible, except equipment closely related to day-to-day operations. Operational costs such as maintenance services, equipment, and supplies are not eligible for aviation grants.  
(Florida Aviation Project Handbook at  
<http://www.dot.state.fl.us/aviation/flpub.shtm>)
- To be eligible for Department grants, each airport project must be consistent with the airport role defined in the Florida Aviation System Plan, and capital projects must be part of the Department's approved airport master plan/layout. The Department's aviation grant programs include:
- Airport Planning;
  - Airport Improvement;
  - Land Acquisition;
  - Airport Economic Development.
- (Florida Aviation Project Handbook at  
<http://www.dot.state.fl.us/aviation/flpub.shtm>)
- The Department Aviation Office has developed the "Guidebook for Airport Master Planning" (this document and others can be obtained through the Internet at <http://www.dot.state.fl.us/aviation/planning.shtm>). This guidebook is the standard by which all master planning documents will be produced.
- Aerospace transportation facility projects must be consistent with the Space Florida Master Plan or the local government spaceport master plan.

COMPLIANCE  
REQUIREMENT:

In developing audit procedures to test compliance with the requirements for a state project, the auditor should first look to Part Two, Matrix of Compliance Requirements, to identify which of the 10 types of compliance requirements described in Part Three of the Compliance Supplement are applicable and then look to Parts Three and Four for the details of the requirements.

ACTIVITIES ALLOWED:

Airport Planning

Airport Planning Grants are to study options for airport development and operations. The Department funds airport master plans, airport layout plans (ALP), noise and environmental studies, economical impact, services development, and airport promotion. Examples of projects are:

- Master plans and ALPs;
- Master drainage plans;
- Environmental assessments (EA);
- Development of regional impact (DRI);
- Operations and emergency response plans;
- Federal Aviation Regulations (FAR) Part 150 noise studies;
- Environmental impact studies (EIS);
- Wildlife hazard studies;
- Feasibility and site selection studies;
- Business plans;
- Airport management studies and training;
- Air services studies and related promotional materials.

(Florida Aviation Project Handbook at  
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Airport Improvement

These grants are to provide capital facilities and equipment for airports. Examples of projects are:

- Air-side capital improvement projects (runways, taxiways, aprons, T-hangers, fuel farms, maintenance hangers, lighting, control towers, instrument approach aids, automatic weather observation stations);
- Land-side capital improvement projects (terminal buildings, parking lots and structures, road and other access projects);
- Preservation projects (overlays, crack sealing, marking, painting buildings, roofing buildings, and other approved projects);
- Safety equipment (e.g. Aircraft Rescue and Fire Fighting [ARFF] equipment and lighted Xs);
- Safety projects (tree clearing, land contouring on overrun areas, and removing, lowering, moving, and marking, lighting hazards);
- Information technology equipment (used to inventory and plan airport facility needs);
- Drainage improvements.

(Florida Aviation Project Handbook at  
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Land Acquisition

This grant program protects Florida's citizens from airport noise and protects airport clear zones and runway approach areas from encroachment.

Administrative Costs, appraisals, legal fees, surveys, closing costs and preliminary engineering fees are eligible costs. In the event the negotiation for a fair market value is unsuccessful, the court will be petitioned for "an Order of Taking" under the eminent domain laws of Florida. Examples of projects are:

- Land acquisition (for land in an approved master plan or ALP);
- Mitigation land (on or off airport);
- Aviation easements;
- Right of way;
- Approach clear zones.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

#### Airport Economic Development

This grant program is to encourage airport revenue. Examples of projects are:

- Any airport improvement and land purchase that will enhance economic impact;
- Building for lease;
- Industrial park infrastructure and buildings;
- General aviation terminals that will be 100 percent leased out;
- Industrial park marketing programs.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

#### Aviation Land Acquisition Loan Program

The Department provides interest free loans for 75 percent of the cost of airport land purchases for both commercial service and general aviation airports.

This is a general description of project types. A detail list of project types approved for these grant programs can be found in the Aviation Grant Program manual which can be accessed through the internet at [www.dot.state.fl.us/Aviation/Public.htm](http://www.dot.state.fl.us/Aviation/Public.htm).

#### Aerospace Transportation Facilities

Department provides grants for spaceport master plans, layout plans, development studies, capacity projects, and launch support facilities that enable the primary flow of passengers and cargo to space corridors (e.g. facilities located at launch sites/ ranges need to support launch activities). Projects at horizontal launch facilities also includes aprons, taxiways, runways, drainage, and approach lights.

ALLOWABLE COSTS:	See Part Three.
CASH MANAGEMENT:	See Part Three.
ELIGIBILITY:	Not Applicable.
EQUIPMENT/REAL PROPERTY MANAGEMENT:	Not Applicable.

**MATCHING:**

**Commercial Service Airports**

When no federal funding is available, the Department provides up to 50 percent of the project costs. When federal funding is available, the Department can provide up to 50 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

**General Aviation Airports**

When no federal funding is available, the Department provides up to 80 percent of project costs. When federal funding is available, the Department can provide up to 80 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

**Economic Development**

The Department provides up to 50 percent of airport economic development funds to build on-airport revenue-producing capital improvements. This program is for local match only.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

**Airport Loans**

The Department provides a 75 percent loan program to fund the Aviation Land Acquisition Loan Program.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

**PERIOD OF AVAILABILITY:** Not Applicable.

**REPORTING:** Not Applicable.

**SUBRECIPIENT MONITORING:** Not Applicable.

**SPECIAL TESTS PROVISIONS:** Not Applicable.